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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/807,500 Confirmation No. : 4381
First Named Inventor : Eberhard WEIHE
Filed : March 24, 2004
TC/A.U. : 1649
Examiner : J. D. Ulm

Docket No. : 029310.53352US
Customer No. : 23911

Title : Screening Process for Various Indications Using
BNPI and/or DNPI

REPLY TO OFFICE COMMUNICATION

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a reply to the Office Communication mailed October 2, 2006 in the above-identified patent application.

BNPI is an acronym for brain-specific Na-dependent phosphate transport protein, also known as vesicular glutamate transport protein or VGLUT1. SEQ ID NOs: 2 and 4 are allelic variants of human BNPI; SEQ ID NO:6 is rat BNPI, and SEQ ID NO: 8 is mouse BNPI.

For the record, applicants wish to note that these proteins fully satisfy both of the alternative tests for a proper Markush group. They satisfy the first alternative test in that they all are members of an art-recognized class, namely, the class of BNPI proteins. They satisfy the second alternative test in that they all share a common use or function, namely the function of being vesicular glutamate transporters, and they also all share substantial common structural